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PROPOSED ATTORNEYS FOR DEBTORS

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:	§	Chapter 11
	§	
ERG Intermediate Holdings, LLC, <i>et al.</i> , ¹	§	Jointly Administered
	§	
Debtors.	§	Case No.: 15-31858-hdh-11

NOTICE OF DEPOSITION OF JOHN T. YOUNG, JR. WITH DUCES TECUM

PLEASE TAKE NOTICE THAT, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure (the "Civil Rules"), made applicable to this proceeding by Rules 9014, 7026 and 7030 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), the above-captioned debtors (together, the "Debtors"), by their undersigned attorneys, will take the testimony upon oral examination of

John T. Young, Jr. (the "Deponent"), as designated by the Official Committee of Unsecured Creditors, at

Jones Day, 717 Texas Avenue, Suite 3300, Houston, Texas.

¹ The Debtors in these cases, along with the last four digits of each Debtor's federal tax identification number, are ERG Intermediate Holdings, LLC (2521); ERG Resources, L.L.C. (0408); West Cat Canyon, L.L.C. (7377); ERG Interests, LLC (2081); and ERG Operating Company, LLC (8385). ERG Intermediate Holdings, LLC is the direct or indirect parent of each of its affiliated Debtors. The mailing address for each of the Debtors, with the exception of ERG Operating Company, LLC, is 333 Clay Street Suite 4400, Houston, TX 77002. The mailing address for ERG Operating Company, LLC is 4900 California Avenue Suite 300B, Bakersfield, CA 93309. The above addresses are listed solely for the purposes of notices and communications.

The deposition will begin on **Thursday, June 4, 2015 at 1:30 p.m. Central Time** and will continue from day to day until completed.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Rule 30(b)(3) of the Civil Rules, the deposition will be recorded before a court reporter, notary public or other person authorized by law to administer oaths, and will be recorded by stenographic, sound or visual means.

PLEASE TAKE FURTHER NOTICE THAT, to the extent any party desires to attend the deposition by telephonic means, such parties are requested to notify undersigned counsel, who will arrange for a telephonic connection.

DUCES TECUM

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Rule 30(b)(2) of the Civil Rules, the Deponent shall produce the following documents to the Debtors' undersigned attorneys not later than **June 3, 2015 at 5:00 p.m. Central Time**:

1. Any and all engagement letters or other written agreements under which the Deponent or Conway MacKenzie, Inc. has rendered, is rendering or will render professional services to the Committee.
2. All communications in whatever form (written, electronic or recorded), direct or indirect, between the Deponent or Conway MacKenzie, Inc., on the one hand, and any unsecured creditor of the Debtors, on the other, including but not limited to communications with such persons prior to the formation of the Committee, concerning any of the following: (a) the sales and marketing process of the Debtors' assets, (b) valuation of the Debtors' assets, (c) solicitation for the employment of Conway MacKenzie, Inc. and/or (d) venue for these chapter 11 cases.

3. All materials, documents, writings, electronic media or other things the Deponent has reviewed or considered that support his opinions, whether or not such materials have been previously published to the Debtors.

4. All materials, documents, writings, electronic media or other things the Deponent has reviewed or considered to form his opinions, whether or not such materials have been previously published to the Debtors.

5. All communications between the Committee and the Deponent related to compensation for the Deponent's opinions, testimony, or other work relating to the Debtor.

DEFINITIONS

The following defined terms apply to this notice:

1. The conjunctions "and" and "or" each mean and include both "and" and "or" and do not exclude any information otherwise within the scope of any request.

2. The term "communication" or "communications" shall mean written or verbal exchanges between any individuals or entities, including, but not limited to, any record of the transmission of facts, information, statements, ideas or opinions, including any letter, memorandum, note, facsimile, electronic mail, electronic documents, electronic data in any form, conversations, telephone calls, letters, memoranda, reports, notes, exhibits, drawings, and any document which constitutes, confirms, or relates to such a communication. Communications "between" any individual or entity and any other individual or entity include communications going in either direction or both directions between such individuals or entities.

3. The term "document" is used in the broadest sense, and includes, but is not limited to, the following items: agreements; drafts; communications; correspondence; e-mails; telegrams; cables; facsimiles; memoranda; records; books; financial statements; summaries of records or notes of personal conversations or interviews; diaries; calendars; forecasts; statistical statements; accountants' work papers; graphs; charts; maps; diagrams; blue prints; tables; indexes;

pictures; recordings; tapes; microfilm; charge clips; accounts; analytical records; minutes or records of meetings or conferences; reports and/or summaries of investigations; opinions or reports of consultants; appraisals; reports and/or summaries of negotiations; brochures; pamphlets; circulars; trade letters; press releases; contracts; stenographic, handwritten or any other notes; projections; working papers; federal and state income tax returns; checks, front and back; check stubs or receipts; shipping documents; manifests; invoice vouchers; computer printouts and computer disks and tapes; and tape data sheets or data processing cards or disks or any other written, recorded, transcribed, punched, taped, filmed or graphic matters; however produced or reproduced.

4. The phrases "concerning," "related to," and "relating to" mean mentioning, describing, discussing, memorializing, concerning, consisting of, containing, evidencing, reflecting, depicting, or referring to, in any way, directly or indirectly, the subject matter of each category of documents requested.

5. The term "person" or "persons" shall mean any natural person, firm, association, organization, partnership, business, trust, limited liability company, corporation, or public entity.

6. The term "Debtor" shall refer to any or all of ERG Intermediate Holdings, LLC, ERG Resources, L.L.C., West Cat Canyon, L.L.C., ERG Interests, LLC, and ERG Operating Company, LLC.

7. The term "Committee" shall mean and refer to the Official Committee of Unsecured Creditors of the Debtor.

8. "Conway Mackenzie, Inc." means Conway Mackenzie, Inc. and any parent, affiliate or subsidiary thereof.

Dated: May 31, 2015
Dallas, Texas

Respectfully submitted,

/s/ Tom A. Howley

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